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Human rights situations that require the Council's attention

Written statement* submitted by the Jubilee Campaign, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Human Rights and freedom of religion in the Islamic Republic of Iran

Jubilee Campaign, together with Christian Solidarity Worldwide (CSW), wishes to draw the Council's attention to the situation of freedom of religion or belief in the Islamic Republic of Iran.

Article 23 of the Iranian Constitution states: *The investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief.* Furthermore, the Islamic Republic of Iran is a signatory to various international treaties including the International Covenant on Civil and Political Rights (ICCPR) which stipulate the right to freedom of religion or belief. However, despite these realities, religious minorities in the Islamic Republic of Iran are systematically harassed.

Jubilee Campaign and CSW are deeply concerned with the continuing repression of religious and ethnic minorities, particularly converts to Christianity. Religious and ethnic minorities are viewed with suspicion and treated as a threat to the integrity of a theocratic system that promotes a strict interpretation of Shia Islam. Consequently, Christians, Baha'is, Dervishes and Sunni Muslims continue to face harassment, imprisonment, torture and even death. Although the death sentence for apostasy (in this instance, leaving Islam) is not codified in law, the authorities exploit a legal loophole to pass the death sentence; this occurred in the case of Yousef Nadarkhani, who was sentenced to death in 2010 on the basis of an open-ended article in the constitution allowing judges to deliver verdicts underpinned by "authoritative Islamic sources and authentic *fatwas*". In this instance judges based their ruling on restrictive *fatwas*, ignoring more progressive ones that allow for conversion. Pastor Nadarkhani was eventually released in 2012. However, converts from Shia Islam to another religion remain vulnerable to the death penalty.

Christians continue to be arrested in their homes or while engaging in social activities. They face political charges relating to national security, including espionage and "crimes against the order", in order to justify lengthy jail terms. In reality, most are being imprisoned for adopting a religion of their choice. Some are released after paying exorbitant bail payments. Government-sanctioned churches have also faced severe restrictions. For instance, the last Farsi-speaking church in Tehran was forced to close in 2013 as a result of sustained pressure and harassment.

In October 2013, four Christians from a house church were sentenced to 80 lashes for taking communion, and the sentence was carried out on at least two of the four men soon thereafter. In 2014, Sacred Peter Church in Tehran was forced to announce that Farsi-speaking Christians could no longer attend. In January 2014, the Revolutionary Court in Karaj sentenced a convert Hossein Saketi to one year's imprisonment for "Christian evangelism". Also in early 2014, converts were arrested during a picnic near Shush-e-Daniel. In the same year, three converts were charged with the capital offences of *Mofzed-e-filarz* (spreading corruption on earth) and *Moharebeh* (enmity against God). Although the charges were eventually dropped, members of religious and ethnic minorities, political opposition, and journalists continue to be harassed with such charges. For example, the poet Hashem Shaabani and Hadi Rashedi, an activist, both Ahwazis, were hanged in January 2014 for alleged "enmity against God" and "spreading corruption on earth" after merely speaking out about the plight of Iran's Ahwazi-Arab ethnic minority.

While several Christian prisoners have recently been released, including Pastor Matthias Haghnejad, Deacon Silas Rabbani, Hossein Baraunzadeh (Daniel), Rahman Bahman (Zia), Amin Khaki, and Vahid Hakanni, many have been released conditionally. For example, Mr. Hakkani was released on January 26, 2015, on the condition that he will not attend house church or any other Christian activity. Other Christians remain unjustly imprisoned. Farshid Fathi Malayeri, an Assemblies of God (AoG) pastor currently serving a six-year sentence for "action against national security", "cooperating with foreign organisations", and "evangelism", received an additional one-year sentence following a trial on December 29, 2014, at Branch 15 of the Revolutionary Court of Tehran. The additional sentence was allegedly related to a controversial raid by security agents on Ward 350 of Evin Prison. The raid took place on April 17, 2014, leaving 30 prisoners requiring medical treatment. The prison authorities claimed that the raid was

initiated following the discovery of alcohol in a ward adjacent to the one where Pastor Fathi Malayeri was held. The authorities inexplicably held him responsible.[1] Following the raid, he and Saeed Abedini were transferred to Rajai Shahr Prison in Karaj, which accommodates some of the most dangerous prisoners in the Islamic Republic of Iran. Alireza Seyyidan remains incarcerated in Evin Prison, and his health is reported to have deteriorated significantly.

Christians experience regular harassment and intimidation from intelligence services. Since 2010, the intimidation has escalated just before Christmas each year in a campaign described as a "Christmas present". According to credible sources, on December 25, 2014, security officials raided a house in Roudehen, arresting nine Christians. The following day, around 15 people were detained following a raid on Christmas celebrations at the Tehran home of Victor Bet-Tamarz, a prominent Assyrian pastor of Shahr-Ara Pentecostal Church. Most were released with a warning, but may be summoned for further investigation. Pastor Bet-Tamarz was detained at Evin Prison.

Members of the Baha'i faith – Iran's largest religious minority – have also been actively targeted. They are denied legal status. Since 1979, over 200 Baha'i leaders have been killed or executed, with thousands more imprisoned. In 2013, the first religiously-motivated murder of a Baha'i in 15 years occurred after a speech by Supreme Leader Ayatollah Khamenei a week earlier that had denigrated the community. In February 2014, three members of a well-known Baha'i family sustained knife injuries when they were attacked in their Tehran home. Members of the Baha'i faith are also denied access to further education and employment in public services. Discrimination of religious minorities in public services accompanies restricted access to high-ranking government positions.

Since 1980, the government of the Islamic Republic of Iran has campaigned actively against the Gonabadi Dervish community. Dervishes experience harassment, torture, denial of education, and imprisonment. When arrested, many Dervishes have had their moustaches – a key part of their identity – shaved off to humiliate them. In March 2014, 2000 Dervishes, including women and children, were beaten and detained for a day following a protest outside the Judiciary over Dervishes imprisoned for participating in a hunger strike.

Repression of religious minorities has continued under President Rouhani, who had been widely lauded as a moderating and progressive influence following years of confrontational, combative policies under President Ahmadinejad. However, President Rouhani has failed to uphold pre-electoral promises to ensure equal rights for religious minorities, and systematic targeting of minorities continues unabated.

Jubilee Campaign and CSW also express concern over Iran's refusal to allow the UN Special Rapporteur on the Situation of Human Rights in Iran, Dr. Ahmed Shaheed, to visit the country. In October 2014, the report by the Special Rapporteur found that at least 300 people were detained in the country because of their religion or belief. Among them were 120 Baha'is and 49 Christians.

Jubilee Campaign and CSW call on the Islamic Republic of Iran to respect its obligations under the ICCPR, to end the judicial harassment of minority religious and ethnic communities, journalists and political opponents, and to immediately release all prisoners of conscience, including those detained or imprisoned on account of their religious convictions.

Recommendations:

Jubilee Campaign and CSW request that key members and institutions of the international community do the following during dialogues with the Islamic Republic of Iran:

[1] http://dynamic.csw.org.uk/article.asp?t=press&id=1820

- Call for the immediate and unconditional release of pastors Behnam Irani, Farshi Fathi Malayeri, Saeed Abedini, and other Christians imprisoned for their religious convictions;

- Call for the immediate and unconditional release of the seven Baha'i leaders and all others held solely on the basis of their religious convictions;

- Remind the Islamic Republic of Iran of its obligations under constitutional and international provisions to uphold the rights of ethnic and religious minorities, and to end judicial intimidation and punishment of individuals exercising their right to adopt a religion or belief under Article 18 of the ICCPR;

- Call for the urgent review of cases where prisoners of conscience are detained following summary procedures lacking due process;

- Call for an end to the harassment of members of civil society, and the immediate and unconditional release of human rights defenders who are imprisoned unjustly;

- Urge an end to the use of revolutionary courts in cases involving prisoners of conscience, and address the constitutionality of these courts;

- Urge the Islamic Republic of Iran to issue invitations to the UN Special Rapporteurs on Freedom of Religion and Belief, Extrajudicial, Summary or Arbitrary Executions and the Independence of Judges and Lawyers, and to take action according to their recommendations;

- Support the UN Special Rapporteur on the Situation of Human Rights in Iran, Dr. Ahmed Shaheed, in monitoring Iran's compliance with international human rights standards, including freedom of religion or belief.

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*Christian Solidarity Worldwide, an NGO without consultative status, also shares the views expressed in this statement